

# IDAHO COMMISSION ON HUMAN RIGHTS

## STRATEGIC PLAN FY 2008 - 2011

### Mission

To administer state and federal anti-discrimination laws in Idaho in a manner that is fair, accurate, and timely; and to work towards ensuring that all people within the state are treated with dignity and respect in their places of employment, housing, education, and public accommodations.

### Values

- **Respect for the principles of civil rights laws.** We are committed that each investigation and case decision made by the commission is based on an impartial and accurate analysis of the available facts and the law, and no other influence.
- **Respect for all the people with whom we deal.** We will listen to people, respond to their concerns in a timely manner, affirm what we can, and if we disagree, we will do so with honesty, knowledge, explanation, and care.
- **Public service.** Being a part of the commission's work is a privilege. We understand and accept its challenges and are rewarded by knowing that we are working together to make Idaho a better place to live. We perform each of our jobs to the best of our ability, assist co-workers in doing their jobs, enjoy the diversity of backgrounds and ideas that make up the staff and commissioners, and work at all times to be an effective and professional team.

### Vision

The Human Rights Commission will be the public's advocate for human rights and equality and a catalyst for positive change; promoting diversity as an exciting and positive component of the community and a desired goal of business.

To make this vision a reality, we will:

1. **Administer existing state and federal anti-discrimination laws.**
  - a. take positive steps to increase the public awareness of Idaho's anti-discrimination laws and to make the commission's work more visible;
  - b. continually reassess administrative procedures, including intake, mediation, investigation, conciliation, and litigation to meet changing public needs and expectations;
  - c. promote and encourage the peaceful resolution of conflict between the parties through the commission's mediation program;
  - d. conduct investigations in an impartial, fair, and respectful manner, focused at all times on evidence and analysis that will result in legally correct case decisions by the commission;

- e. maintain a positive working relationship with the Equal Employment Opportunity Commission, resulting in greater federal financial support for the commission's work, increased public confidence in the commission's ability to handle discrimination issues, and periodic quality checks by the EEOC on Idaho cases;
- f. work with the Office of the Governor and the Idaho Legislature to appoint and confirm commissioners representing Idaho's broad spectrum of businesses and individuals involved in human rights issues;
- g. develop conciliation strategies in probable cause cases that fully address the identified acts of discrimination with agreements designed to make the victim whole and to protect other members of the public from future similar acts of discrimination;
- h. use the commission's litigation resources to target the most significant discrimination issues in Idaho and to positively develop Idaho case law.

**2. Promote voluntary compliance with the letter and the spirit of the laws.**

- a. provide education on the principles of non-discrimination to businesses, professional organizations, non-profit groups, schools, and to the public at large;
- b. maintain a library of educational resources and referrals to outside resources to be available to individuals or businesses seeking assistance on human rights issues;
- c. maintain a website with accurate and up-to-date information for public use;
- d. actively participate in organizations promoting equal opportunity, diversity, and fostering human rights.

**3. Advocate for the value and worth of all the people of Idaho.**

- a. speak out publicly on all issues of human rights that affect the quality of life in Idaho;
- b. advocate for changes in Idaho law wherever necessary to ensure that all people within the State receive full human rights protections;
- c. inform the public about the social and economic benefits to the State in protecting human rights for all people.

**4. Use the resources dedicated to the commission, including financial, human, and technological components, in the best manner possible.**

- a. work with the Legislature to obtain funding for resources essential for efficient administrative law enforcement;
- b. maintain a professional staff, hired for the skills, knowledge, and personal commitment they bring to human rights work; retain, recognize, and reward high performing employees;
- c. offer in-house training and training from outside sources to enable commissioners and staff to be fully informed of new developments in human rights laws and developing issues;

- d. actively seek out ways to use new technology to make the commission's work more effective, more accessible to the public, and more timely;
- e. form and maintain partnerships with other entities – public agencies, businesses, individuals, and non-profit organizations – to maximize the impact of commission resources;

### **Key External Factors**

These are influences, outside the commission's control, that will affect the way in which we work to fill our mission, and will provide both positive and negative impacts on our success. By recognizing them, we prepare to work with them effectively.

- Population growth and demographic changes that impact revenue, our employee base and Idaho's changing economy;
- Increasing realization and emphasis by business leaders on Idaho's ability to compete in a global economy;
- Idaho's reputation regarding human rights issues;
- Pressure from advocacy groups, businesses, and persons in positions of power to force commission decisions based on interests other than impartial fact-gathering and legal analysis;
- The commission's adherence to confidentiality protects the interests of parties but can make it difficult for the commission to respond to criticism from outsiders about its work;
- Limited financial resources;
- Changes in federal laws, EEOC contracting principles, or new court decisions;
- Statutory and regulatory restrictions on the commission's ability to obtain evidence and to facilitate timely cooperation from parties. One specific restriction is the commission's inability to compel the production of evidence. In this regard, state law is not substantially equivalent to the Federal Fair Housing Act. Consequently, the commission is unable to contract with HUD to handle housing discrimination cases under federal law.

### **Goals**

#### **1. Improve administration of state and federal anti-discrimination laws.**

##### Strategies/Performance Benchmarks

a. Identify at time of filing those cases which are unlikely to resolve through mediation and direct them immediately into investigation so they can be handled more quickly. Mediated settlements will continue to be encouraged whenever possible.

b. The commission's limited resources should be focused on those cases in which the public interest is significant. The director will use her administrative authority for early dismissal of cases filed solely to obtain a Notice of Right to Sue or cases where it appears that further administrative processing would not be productive, of value to the parties, or consistent with the commission's mission. All open cases being handled by the commission will be in active mediation, investigation, or conciliation.

c. Senior investigators will maintain their case loads so that the average staff age of cases is three months or less, and they will complete an average of at least eight cases per month. Investigators will maintain their case loads so that the average staff age of cases is five months or less, and they complete an average of at least five cases per month.

d. Investigative reports will be written as concisely as possible, and legal analysis will be included by staff under direction of counsel. Staff will use technological advances to improve communication with parties, their attorneys, and other outside contacts.

e. Staff will make full use of resources from the EEOC for expeditious handling of cases.

f. The commission will contract with other administrative agencies, including, but not limited to, the Department of Administration and the Office of the Attorney General for services that it, as a small agency, cannot efficiently handle on an in-house basis.

## **2. Raise public awareness of the significance of human rights issues and enforcement of state and federal laws.**

### Strategies/Performance Benchmarks

a. Publicize the appointment of persons as Human Rights commissioners in their home communities to emphasize a local commission presence;

b. Develop and practice outreach strategies as resources permit; including the distribution of two public service announcements about human rights and diversity created with the assistance of a federal grant during FY 2008 for outreach work;

c. Develop in-house expertise to manage the commission website so it can be more informative to the public;

d. Hold at least one of the quarterly commission meetings at a location other than Boise.

e. The commission will respond to as many invitations to speak publicly on human rights issues as possible within its budget restraints. It will average at least two presentations per month.

f. The commission will advocate for the value and worth of all the people of Idaho. We will partner with others interested in human rights work to provide accurate information to the public on human rights issues and on proposed legislation.

g. Propose and support legislation designed to strengthen Idaho's laws governing human rights, thereby improving Idaho's ability to address any violations of human rights in a timely and thorough manner. Legislative proposals may include amendments to the Idaho Human Rights Act, the state equal pay act, or other state laws impacting human rights.

### **3. Hire and retain a professional staff committed to civil rights work.**

#### Strategies/Performance Benchmarks

a. Work with the Department of Administration and the Division of Human Resources to ensure that all staff positions are accurately classified and compensated in accordance with state DHR and Legislative policies;

b. In filling open positions, comply with all state and federal laws and state policies, recruit with a sufficient breadth to attract a strong pool of qualified applicants representative of the people of Idaho;

c. Provide all employees and commissioners with training sufficient to allow them to fully perform their jobs;

d. Work with the Legislature, the Division of Human Resources, the Department of Administration, and any other stakeholders, to obtain funding for salary increases for meritorious performance, to employ other methods of recognition for outstanding performance, and to provide sufficient resources for the commissioners and staff to fulfill their job responsibilities without undue pressures.

e. Practice good human relations in our own employment policies and practices. Respect the diversity, individuality, and professionalism of each staff member and commissioner. We value each person's perspective, recognizing that varying life experiences can contribute positively to group problem-solving.

f. Staff and commissioners understand that the vast majority of Idaho discrimination cases are decided only at the commission level, since use of the court system often is not feasible. The decisions made by this agency are important, not only to the individual parties, but to the overall quality of life within this state. Our common goal is that all agency positions taken and decisions made are based on our best understanding of the relevant facts, applicable legal principles, and our mission.